

DISTRICT	OFF.	DOCKET NO.	FILING DATE	NATURE	DIV.	R	DEMAND	JUDGE	MAG	COUNTY	JURY DEM.	DOCKET YR. NUMBER
0425	5	89	1470	1	11	24	89	4	350	2	1	10000 2511
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PLAINTIFFS

ARBOGAST, LEWIS E.,
 Administrator of the Estate of
 ARBOGAST, LISA

DEFENDANTS

TOWN OF FAYETTEVILLE,
FAYETTEVILLE POLICE DEPARTMENT,
OFFICER, SMITH, R.R.
OFFICER, CURRY, WILLIAM
FAYETTE COUNTY
FAYETTE COUNTY SHERIFF'S DEPUTY
MARTIN, C.E. and the WEST VIRGINIA
DEPARTMENT OF HIGHWAYS of the State
 of West Virginia dismissed per order of 5-31-

CONSOLIDATED WITH CIVIL ACTION NO. 5:89-1457. LEAD CASE NO. 5:89-1457. (Pur. Order of 01-03-91)

CAUSE

(CITE THE U.S. CIVIL STATUTE UNDER WHICH THE CASE
 IS FILED AND WRITE A BRIEF STATEMENT OF CAUSE)

28 USC §1332, Personal Injury and 42 USC §1983, Civil rights

ATTORNEYS

D. Clinton Gallaher, IV
 P.O. Box 127
 Fayetteville, WV 25840
 (304) 574-3333

Town of Fayetteville
Fayetteville Police Dept.
Officer R.R. Smith
Officer William Curry

Ralph Young
 P.O. Drawer 1145
 Oak Hill, WV 25901

Steven P. McGowan
 W. Randolph Fife
 STEPTOE & JOHNSON
 P.O. Box 1588
 Charleston, WV 25326 (342-2191)

WEST VIRGINIA DEPT. OF HIGHWAYS

Edgar A. Poe, Jr.
 SHUMAN, ANNAND & POE
 P.O. Box 3953
 Charleston, WV 25339-3953

Fred A. Jesser, III
 Love Building - Drawer 450
 Fayetteville, WV 25850 (574-0173)

FAYETTE COUNTY COMMISSION/Fayette County Sheriff's
Dept. and C. E. Martin

Jeffrey M. Wakefield
 Kay, Casto, Chaney, Love & Wise
 P.O. Box 2031
 Charleston, W. Va. 25327

<input type="checkbox"/> CHECK HERE IF CASE WAS FILED IN FORMA PAUPERIS	FILING FEES PAID			STATISTICAL CARDS	
	DATE	RECEIPT NUMBER	C.D. NUMBER	CARD	DATE MAILED
	11-24-89	Rec # 42046		JS-5	
			JS-6		

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DATE	NR.	PROCEEDINGS
11-24-89	1	COMPLAINT ; Iss. orig & 1 summs ret. 30 days for each deft. to counsel for service. cds
01-10-90	2	ANSWER of Defts. Town of Fayetteville, Fayetteville Police Dept., Officer R.R. Smith and Officer William Curry. cds
01-16-80	3	ANSWER of Fayette County Commission/Fayette County Sheriff's Dept. and C. E. Martin.
02-02-90	4	MOTION of Deft. WV Dept. of Highways of the State of WV to Dismiss w/ NOTICE of Hearing at a date and time to be determined by the Court. slr
	*	MEMORANDUM in Support of Motion to Dismiss of the Deft. WV Dept. of Highways of the State of WV. slr
03-01-90	5	CERTIFICATE OF SERVICE of Deft. Town of Fayetteville, Fayetteville Police Dept., Officer R.R. Smith & Officer William Curry's First Set of Interrogatories & Request for Production of Documents and Things to Pltf. cds
04-18-90	6	CERTIFICATE OF SERVICE reflecting counsel for Defts. Fayette co. Commission/ Fayette County Sheriff's Dept. and C. E. Martin served Interrogatories to Pltf. Set No One etc.
	7	CERTIFICATE OF SERVICE reflecting that Defts. Fayette County Commission/ Fayette County Sheriff's Dept. and C. E. Martin served Request for Production of Documents of the Fayette Co. etc.
05-08-90	8	CERTIFICATE OF SERVICE of Plaintiff's Answers to Interrogatories & Verification. cds
05-08-90	9	MOTION of Deft., Town of Fayetteville, to Compel. cds
06-08-90	10	MOTION of Defts. Fayette County Commission/Fayette County Sheriff's Dept. and C.E. Martin to Compel w/ NOTICE of Hearing at a date and time to be determined by the Court. slr
06-12-90	11	CERTIFICATE OF SERVICE , Counsel for Pltf. served Answers to Interrogatories to Jeffrey M. Wakefield, 6/11/90. fjd
06-12-90	12	ORDER (2511) : directing Pltf. to file a resp. to Deft. WV Dept. of Highways' Mtn. to Dismiss w/i 10 days of the date of this Order. Deft. WV Dept. of Highways shall then have 7 days to file any desired reply thereto. Deft. Town of Fayetteville's Mtn. to Compel is denied as moot. cc: atys. (EOD 06-12-90) slr
10-9-90	13	CERTIFICATE OF SERVICE of Defts.' (Fayette Co. Commission, Fayette Co. Sheriff's Dept and C.E. Martin) Response to Pltf.'s First set of Interrogatories upon Ralph C. Young, D. Clinton Gallaher, IV, Steven P. McGowan and Edgar A. Poe, Jr. rle
10-09-90	14	TIME FRAME ORDER (2511) : joinder & 12(b) mtns. 11-16-90; disc. 1-16-91; disp. mtns. 2-5-91, response 2-19-91 and reply 2-26-91; PTO 2-26-91; Mtms. in limine 3-25-91, responses 4-8-91; PTC 4-1-91 11:30 a.m., BK; FSC 11:30 4-15-91, BK: TRIAL 4-16-91 9:30 a.m., BK, etc. cc/counsel. cds
10-29-90	15	CERTIFICATE OF SERVICE of Deft. Fayette County Commission/Fayette County Sheriff's Dept. & C.E. Martin's Request for Supplementation of Prior Discovery Responses. cds
10-29-90	16	CERTIFICATE OF SERVICE of Deft.s Fayette C. Commission/Fayette Co. Sheriff's Dept. & C.E. Martins Interrogatories (Set No. 2) to pltf. cds
10-31-90	17	CERTIFICATE OF SERVICE by Deft. of Respons fo Deft. Town of Fayetteville to Pltf.'s First Interrogatory. rle

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PLAINTIFF LEWIS E. ARBOGAST, ADMINISTRATOR	DEFENDANT TOWN OF FAYETTEVILLE, et. al.	DOCKET NO. 5:89-1470 PAGE ____ OF ____ PAGES
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DATE	NR.	PROCEEDINGS
11-02-90	18	CERTIFICATE OF SERVICE for Defts.' Fayette County Commission/Fayette Coutny Sherif Dept. and C. E. Martin Interrogatories to Pltf. - Set No. 3, served upon counsel of record on 11-01-90. slr
12-14-90	19	NOTICE OF MOTION TO COMPEL by Deft.s Fayette Co. Commission/Fayette Co. Sheriff's Dept. and C. E. Martin, w/CERTIFICATE OF SERVICE UPON opposing counsel. rle
12-28-90	20	JOINT MOTION to Consolidate Cases for Purposes of Discovery and Trial and JOINT MOTION for Entry of a New Time Frame Order. slr
	21	CERTIFICATE OF SERVICE for Pltf.'s Answers to Interrogatories of Fayette Co. Comm./Fayette Co. Sheriff's Dept. and C. E. Martin-- Set No. Two and Supplementation to Pltf.'s Response to Interrogatories--First Set, served upon counsel of record on 12-27-90. slr
01-03-91	22	ORDER (2511): granting parties' joint motions to consolidate cases for purposes of Disc. and Trial and for entry of a new TFO. The Clerk shall enter a new TFO w/ disc. cut-off date of 04-22-91. cc: atys. (EOD 01-04-91) slr
01-15-91	23	TIME FRAME ORDER (2511): Disc. shall be completed by 04-22-91; S/J and Disp. Mtns. shall be filed by 05-13-91, w/ resp. by 05-28-91 and reply by 06-04-91. PTO shall be submitted to the Court for entry by 06-04-91. Mtns. in Limine shall be filed by 06-25-91 w/resp. due by 07-09-91. Charges to the Jury/Findings of Fact and Conclusions of Law shall be submitted to the Clerk by 09-03-91. PTC shall be held on 08-26-91, 1:30 p.m., BK. FSC shall be held on 09-09-91, 10:00 a.m., BK. Trial shall commence on 09-10-91, 9:30 a.m., BK. cc: atys. (EOD 01-16-91) slr
01-29-91	24	CERTIFICATE OF SERVICE of Deft. Town of Fayetteville's Interrogatory to Deft. William Smith. rle
01-29-91	25	CERTIFICATE OF SERVICE of Deft. Town of Fayetteville's Interrogatory to Pltf. Lewis E. Arbogast. rle
02-04-91	26	NOTICE of Defts. Fayette Co. Commission/Fayette Co. Sheriff and C. E. Martin to depose Lewis E. Arbogast on 2-18-91 at 10:00 a.m. in BK. rle
03-20-91	27	CERTIFICATE OF SERVICE of Deft Town of Fayetteville's Supplemental Interrogatory to Pltf Lewis E. Arbogast. rle
03-20-91	28	CERTIFICATE OF SERVICE of Deft Town of Fayetteville's Supplemental Interrogatori to Deft William Smith. rle
03-20-91	29	CERTIFICATE OF SERVICE of Deft Town of Fayetteville's Interrogatory to Pltf Michael Pritchard. rle
03-21-91	30	NOTICE by deft WVDON of hearing on Motion of Deft WVDON to Dismiss. rle

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PLAINTIFF		DEFENDANT	DOCKET NO. <u>5:89-1470</u>
LEWIS E. ARBOGAST, Adm. of Estate of LISA ARBOGAST		TOWN OF FAYETTEVILLE, et al	PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	<i>R</i>
03-26-91	31	MOTION of Deft Town of Fayetteville to compel against Deft William Smith. rle	
03-26-91	32	MOTION of Deft Town of Fayetteville to compel against Pltf Lewis E. Arbogast. rle	
03-26-91	33	CERTIFICATE OF SERVICE of Pltf's Interrogatoaries to Deft, Twon of Fayetteville. rle	
03-26-91	34	CERTIFICATE OF SERVICE of Pltf's Interrogatories to Deft, Fayette Co Sheriff's Dept. rle	
03-26-91	35	CERTIFICATE OF SERVICE of Pltf's Response to Deft Town of Fayetteville's Supplemental Interrogatory to Pltf Lewis E. Arbogast. rle	
04-01-91	36	CERTIFICATE OF SERVICE by Pltf of Pltf Michael Lee Pritchard, Jr.'s Supplemental Answer to Interrogatory No. 6 of Interrogatories Propounded by Defts Town of Fayetteville, Fayetteville Police Dept, Officer R. R. Smith and Officer William Curry to Pltf - Fist Set. rle	
04-08-91	37	NOTICE OF DEPOSITION by deft to depose Lewis E. Arbogast via telephone on 4-9-91. rle	
04-11-91	38	NOTICE OF DEPOSITIONS to be held 4-22-91 in Beckley by Defts: Kenneth/Dennis Bryant, 10:00 a.m., and Gene Gambel, 11:00 a.m. rle	
04-12-91	39	AMENDED NOTICE OF DEPOSITIONS by Deft to depose Kenneth/Dennis Bryant on 4-22-91 at 10:00 a.m. and Gene Gambel (Duces Tecum) on 4-22-91 at 11:00 a.m., BK. rle	
04-16-91	40	NOTICE OF DEPOSITIONS by deft, Town of Fayetteville, to depose Kenneth/Dennis Bryant and Gene Dean Gamble on 5-3-91 at 10:00 a.m., BK. rle	
04-18-91	41	NOTICE OF DEPOSITION by deft to depose Michael Pritchard's expert, Robert DiGrazia on 4-20-91 at 10:30 a.m., Annapolis, MD. rle	
04-18-91	42	CERTIFICATE OF SERVICE by deft of Notice of Depositions upon counsel of record. rle	
04-22-91	43	CERTIFICATE OF SERVICE by Deft of Responses of Defts Town of Fayetteville, Fayetteville Police Dept and Officer R. R. Smith to Pltf Michael Lee Pritchard, Jr., Request for Admissions as to Authenticity of Documents.. rle	
04-22-91	44	CERTIFICATE OF SERVICE by Pltf of Answers of Pltf Michael Lee Pritchard, Jr. to Interrogatories of the Fayette County Sheriff's Dept and C. E. Martin -- Set No. Two. rle	
04-22-91	45	STIPULATION of Parties to extend discovery cut-off. rle	

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PLAINTIFF		DEFENDANT	DOCKET NO. 5:89-1470
LEWIS E. ARBOGAST, Adm. of Estate of LISA ARBOGAST		TOWN OF FAYETTEVILLE, et al.	PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	
04-23-91	46	CERTIFICATE OF SERVICE by Pltf of Answer of Pltf Michael Lee Pritchard, Jr. to Deft Town of Fayetteville's Interrogatory. rle	
04-23-91	47	CERTIFICATE OF SERVICE by Defts of Responses of Defts Town of Fayetteville, Fayetteville Police Dept, Officer William Curry and Officer R. R. Smith to Pltf Michael Lee Pritchard, Jr.'s Second Set of Interrogatories. rle	
04-23-91	48	CERTIFICATE OF SERVICE by Defts of Answers of Defts, Fayette Co Commission/ Fayette Co Sheriff's Dept and C. E. Martin to the Interrogatories Propounded by Pltf Michael Lee Pritchard, Jr. - Set No. Two. rle	
04-23-91	49	CERTIFICATE OF SERVICE by Pltf of Pltf Michael Lee Pritchard, Jr.'s Response to First Request for Production of Documents Propounded by Defts Fayette Co Sheriff's Dept and C. E. Martin. rle	
04-23-91	50	CERTIFICATE OF SERVICE by Defts of Responses of Defts, Fayette County Commission/ Fayette Co Sheriff's Dept and C. E. Martin, to the Request for Admissions as to Authenticity of Documents Propounded by Pltf, Michael Lee Pritchard, Jr. - Set One. rle	
04-23-91	51	CERTIFICATE OF SERVICE by Defts of response of the Defts, Fayette Co Commission/ Fayette Co Sheriff's Dept and C. E. Martin to the REquest for Production of Documents Propounded by Pltf Michael Lee Pritchard, Jr. - Set No. One. rle	
04-23-91	52	CERTIFICATE OF SERVICE by Defts of Response of Defts, Fayette Co Commission/ Fayette Co Sheriff's Dept and C. E. Martin to Pltf's Interrogatories. rle	
04-25-91	53	RETURN OF SERVICE of Deposition Subpoena served on Kenneth Bryant on 4-17-91. rle	
04-25-91	54	NOTICE OF DEPOSITION by Defts to depose Dr. Donald Newell, Sr. on 5-3-91 at 2:00 p.m., BK. rle	
04-30-91	55	AMENDED NOTICE OF DEPOSITION by Defts to depose Dr. Donald Newell, Sr. on 5-3-91 at 3:00 p.m., BK. rle	
05-06-91	56	RETURN OF SERVICE of Deposition Subpoena issued for Donald Newell, Jr.,; personal service made 4-29-91. rle	
05-14-91	57	MOTION FOR SUMMARY JUDGMENT of Defts Town of Fayetteville, Fayetteville Police Dept, Officer R. R. Smith and Officer William Curry w/MEMORANDUM in Support of that Motion. rle	
05-14-91	58	MOTION FOR SUMMARY JUDGMENT of Defts Fayette County Commission, Fayette County Sheriff's Dept and Deputy C. E. Martin (Exhibits A through Y placed in CASE No. 5:89-1470). rle	
05-24-91	59	MOTION of Pltfs, Michael Pritchard, Jr., and Lewis E. Arbogast, Adm of the Estate of Lisa Arbogast, to Extend Time w/in which to File and Serve Pltfs' Oppositions to Defts' Motions for Summary Judgment. rle	

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PLAINTIFF		DEFENDANT	DOCKET NO. <u>5:89-1470</u>
LEWIS E. ARBOGAST, etc.		TOWN OF FAYETTEVILLE, et al	PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	R
05-24-91	60	SUPPLEMENTAL MOTION of Pltf, Lewis E. Arbogast, Adm of the Estate of Lisa Arbogast, to Extend Time w/in which to File and SErve the Pltfs' Oppositions to the Defts' Motions for Summary Judgment.	rlc
05-24-91	61	CERTIFICATE OF SERVICE by Pltf of Documents 59-60.	rlc
05-24-91	62	NOTICE OF DEPOSITIONS by Deft Town of Fayetteville, Fayetteville Police Dept Officer R. R. Smith and Officer William Curry to depose: Dr. James Knight on 5-28-91 at 9:30 a.m., Laguna Niguel, CA; Dr. Raymond Schultz on 5-29-91 at 10:00 a.m., Pasadena, CA; Dr. Lawrence Miller on 5-29-91 at 3:30 p.m., Glendale, CA; Margaret Murphy on 5-29-91 at 5:00 p.m., South Pasadena, CA; Dr. Judith Sill on 5-30-91 at 10:00 a.m., Oceanside, CA; and Dr. Leonard Matheson on 5-30-91 at 3:30 p.m., Santa Ana, CA.	rlc
05-24-91	63	CERTIFICATE OF SERVICE of Notice of Depositions by Atty McGowan upon all counsel of record.	rlc
05-28-91	64	AMENDED NOTICE OF DEPOSITION by Deft, Town of Fayetteville, to depose: Dr. James Knight on 5-28-91 at 9:30 a.m., Laguna Niguel, CA; Dr. Raymond Schultz on 5-29-91 at 10:00 a.m., Pasadena, CA; Dr. Lawrence Miller on 5-29-91 at 3:30 p.m., Glendale, CA; Dr. Judith Sill on 5-30-91 at 9:45 a.m., Oceanside, CA; and Dr. Leonard Matheson on 5-30-91 at 3:30 p.m., Santa Ana, CA.	rlc
05-30-91	65	ORDER (2511): Motion to Dismiss the WV Dept of Highways of State of WV, based on lack of subject matter jurisdiction pursuant to the Eleventh Amendment of US Constitution is GRANTED and this civil action against the WV Dept of Highways of the State of WV, including all claims and cross-claims against it are dismissed. cc: counsel of record (EOD 05-30-91)	rlc
06-03-91	66	ORDER (2511): pltfs. motion for extension of time to file a response to defts. motions for s/j is GRANTED; pltfs. are to file w/clerk their responses to defts. motions for s/j on or before 6-7-91; counsel for defts. are ordered to file any reply with Clerk on or before 6-17-91; current TFO remains in full force & effect. cc/counsel.	cds
06-11-91	**	JOINT MEMORANDUM OF CONSOLIDATED PLTFS , Michael Pritchard, Jr. and Lewis E. Arbogast, Administrator, in Opposition to Motions of Defts Town of Fayetteville, Fayetteville Police Dept, Officer R. R. Smith and Officer William Curry, and Defts Fayette Co, Fayette Co Sheriff's Dept and Sheriff's Deputy C. E. Martin for Summary Judgments -- VOLUMES I and II (Filed in 5:89-1457 and docketed as Nos. 94 and 95),	rlc
06-13-91	**	JOINT MEMORANDUM of Consolidated Pltfs. Michael Pritchard, Jr. and Lewis E. Arbogast, Administrator, in Opposition to Mnts. of Defts. Town of Fayetteville, Fayetteville Police Dept., Officer R. R. Smith, and Officer William Curry and Defts. Fayette County, Fayette Co. Sheriff's Dept. and Sheriff's Deputy C. E. Martin for S/J, Volumes I and II (Filed in 5:89-1457 and docketed as Nos. 97 and 98).	slr

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PLAINTIFF		DEFENDANT	DOCKET NO. 5:89-1470
LEWIS E. ARBOGAST, etc.		TOWN OF FAYETTEVILLE, et al	PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	
06-17-91	67	JOINT MOTION of "County Defts" and "Fayetteville Defts" for Extension of Time to File Response w/CERTIFICATE OF SERVICE, 6-14-91.	rle
06-18-91	68	NOTICE OF DEPOSITION by Pltf to depose Jack Manning on 6-20-91 at 1:00 p.m., Oak Hill, WV.	rle
06-18-91	69	CERTIFICATE OF SERVICE of Notice of Deposition upon counsel of record served 6-14-91.	rle
06-20-91	70	CORRECTIVE NOTICE OF DEPOSITION by counsel for Pltf to take deposition of Jack Manning on 6-20-91 at 1:00 p.m., BK, WV.	rle
06-24-91	**	MOTION of Defts. Fayette Co. Commission/Fayette Co. Sheriff's Dept. and C.E. Martin to Stay Proceedings and for Protective Order. (Original Documents filed in civil action no. 5:89-1457)	slr
	**	REPLY to Pltfs.' Joint Memorandum in Opposition to County Defts.' Motion for S/J by Fayette Co. Commission/Fayette Co. Sheriff's Dept. and C. E. Martin. (Original Document filed in civil action no. 5:89-1457)	slr
06-26-91	**	REPLY of Defts. Town of Fayetteville, Fayetteville Police Dept., Officer R. R. Smith and Officer William Curry in Support of Their Motion for S/J. (Orig. document filed in 5:89-1457, document #104)	slr
07-01-91	71	MOTION of Pltfs, Michael Pritchard, Jr. and Lewis E. Arbogast, Administrator of Estate of Lisa Arbogast, to Continue the Trial Date and Related Pre-trial Dates forty-Five to Sixty Days.	rle
07-05-91	72	RESPONSE of Deft. William D. Smith, to the Pltfs. Motion to Continue Trial & other Pre-trial dates.	cds
07-09-91	73	MOTION of Defts. Town of Fayetteville, Fayetteville Police Dept., Ofc. R.R. Smith and Ofc. Wm. Curry for Status Conference.	slr
	74	MOTION of Defts. Town of Fayetteville, Fayetteville Police Dept., Ofc. R.R. Smith, and Ofc. Wm. Curry to Disqualify Pltf.'s Atty., Jeremy H. West.	slr
	75	MEMORANDUM of Defts. Town of Fayetteville, Fayetteville Police Dept., Ofc. R.R. Smith and Ofc. Wm. Curry in Support of Mtn. to Disqualify Jeremy H. West, Atty. for Pltf. Michael Pritchard, Jr.	slr
07-29-91	76	MEMORANDUM of Pltf in Opposition to Defts' Motion to Disqualify Pltf's Atty, Jeremy H. West.	rle
07-29-91	77	MOTIONS in Limine of Defts. Town of Fayetteville, Fayetteville Police Dept. and Ofcs. R. R. Smith and William Curry.	slr
	78	MEMORANDUM of Law in Support of Mtns. in Limine of Defts. Town of Fayetteville, Fayetteville Police Dept. and Ofcs. R. R. Smith and William Curry.	slr

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PLAINTIFF		DEFENDANT	DOCKET NO. <u>5:89-1470</u>
ARBOGAST		TOWN OF FAYETTEVILLE	PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	
07-29-91	79	SUPPLEMENT to Reply Memorandum of Defts. Town of Fayetteville, Fayetteville Police Dept., Ofc. R. R. Smith and Ofc. William Curry in Support of Their Mtn. for S/J; these pages from the deposition of William D. Smith should be made a part of Exhibit A. slr	
08-22-91	80	CERTIFICATE OF SERVICE for Supplemental Response of the Defts., Fayette Co. Comm./Fayette Co. Sheriff's Dept. and C.E. Martin to the Request for Production of Documents Propounded by Pltf. Michael Lee Pritchard, Jr., Set No. One, served upon counsel of record on 08-21-91. slr	
09-03-91	81	ANSWER of Defts Town of Fayetteville, Fayetteville Police Dept, Officer R.R. Smith and Officer William Curry to the Cross-Claim of Deft William D. Smith. rle	
09-04-91	82	ORDER (2511): pltf. Pritchard's motion for continuance is GRANTED; that a status conference/settlement conference 9-23-91 1:30 p.m., ; proposed charges to jury submitted by 11-5-91; PTC 10-21-91 3:00 p.m., BK; FSC 11-12-91 2:00 p.m., BK; TRIAL 11-13-91 9:30 a.m., BK. cc/counsel. (EOD 9-4-91). cds	
09-05-91	83	ANSWER of Fayette Co Commission/Fayette Co Sheriff's Dept and Deputy C. E. Martin to the Crossclaim of William D. Smith. rle	
09-09-91	84	NOTICE by James M. Henderson, II, atty for Deft William D. Smith, of Scheduling Conflicts. rle	
09-12-91	85	ORDER (2511): In accordance w/conflict resolution provisions, it is ORDERED that this Court's September 4, 1991 order be AMENDED as follows: Proposed Charges to Jury, 1-14-92; PTC, 1-9-92 at 2:00 p.m., USDC, BE; FSC, 1-21-92, at 1:30 p.m., USDC, BE; and Trial, 1-22-91 at 9:30 a.m., USDC, BE. All other portions of the 9-4-91 order remain in full force and effect, including establishment of a status conference/settlement conference to be held in USDC, BE on 9-23-91 at 1:30 p.m.. cc: counsel of record (EOD 09-12-91) rle	
09-12-91	**	LETTERS from Atty Henderson and Hon John C. Ashworth addressed to Judge Hallanan placed on left side of file. rle	
09-18-91	86	ORDER APPROVING DISTRIBUTION OF SETTLEMENT PROCEEDS (2511): vacating the consolidation of 5:89-1457 and 5:89-1470, and approving the compromise and distribution of settlement proceeds proposed by the Pltf. for 5:89-1470. The Administrator is authorized to execute a release to the defts. and to distribute the settlement proceeds in accordance with this order. Case No. 5:89-1470 is dismissed w/prejudice and stricken from the docket of this Court. cc: atys. (EOD 09-18-91) slr	
<u>C L O S E D</u>			